

# 한미 FTA 서문 관련 협상문서

귀하께서 우리부에 정보공개 요청하신 사항(한-미 FTA 중 투자 서문과 관련한 교섭 경위 문서)에 대하여 다음과 같이 답변 드립니다.

○ 미측 문안 제시(6.16)

Seeking to establish clear and mutually advantageous rules governing their trade and investment and to reduce or eliminate the barriers to trade and investment between their territories, recognizing that where, as in the United States, protections of investor rights under domestic law equal or exceed international law standards, foreign investors shall not be accorded greater substantive rights with respect to investment protections than domestic investors under domestic law;

○ 한국측 수정문안 제시(6.22)

Seeking to establish clear and mutually advantageous rules governing their trade and investment and to reduce or eliminate the barriers to trade and investment between their territories, recognizing that where, as in Korea and the United States, protections of investor rights under domestic law equal or exceed international law standards, foreign investors are accorded as shall not be accorded greater substantive rights with respect to investment protections as than domestic investors under domestic law;

○ 미측 수정문안 제시(6.23)

Agreeing that foreign investors are not hereby accorded greater substantive rights with respect to investment protections than domestic investors under domestic law where, as in the United States, protections of investor rights under domestic law equal or exceed those set forth in this Agreement;

○ 한국측 재수정문안 제시(6.25)

Agreeing that foreign investors are not hereby accorded greater substantive rights with respect to investment protections than equal to those of domestic investors under domestic law where, as in Korea and the United States, protections of investor rights under domestic law equal or exceed those set forth in this Agreement;

○ 한국측 추가 재수정문안 제시(6.27)

Agreeing that foreign investors are not hereby accorded greater substantive rights with respect to investment protections than domestic investors under domestic law where, as in the United States, protections of investor rights under domestic law equal or exceed those set forth in this Agreement, and recognizing that the laws and regulations of Korea, including Article 6 of the Constitution and Article 3 of the Foreign Investment Promotion Act, provide foreign investors and their investments protection equal to that provided to domestic investors and their investments.

귀하의 궁금증 해소에 충분한 답변이 되었기를 바랍니다.

## 미측 문안 제시(6.16)

This Document Contains US/Korean Information  
to be treated as **U.S. CONFIDENTIAL**  
**MODIFIED HANDLING AUTHORIZED\***

KORUS FTA/CT/IL/002-6  
Without Prejudice  
Restricted  
U.S. Proposals June 15, 2007

### FREE TRADE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA

Seeking to establish clear and mutually advantageous rules governing their trade and investment and to reduce or eliminate the barriers to trade and investment between their territories, recognizing that where, as in the United States, protections of investor rights under domestic law equal or exceed international law standards, foreign investors shall not be accorded greater substantive rights with respect to investment protections than domestic investors under domestic law;

## 한국측 수정문안 제시(6.22)

This Document Contains US/Korean Information  
to be treated as **U.S. CONFIDENTIAL**  
**MODIFIED HANDLING AUTHORIZED**

KORUS FTA/CT/IL/002-6  
Without Prejudice  
\* Restricted  
U.S. Proposals June 15, 2007

### FREE TRADE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA

recognizing that where, as in Korea and the United States, protections of investor rights under domestic law equal or exceed international law standards, foreign investors are accorded as shall not be accorded greater substantive rights with respect to investment protections as than domestic investors under domestic law;

D/3 새안 ( ㄷ )

6.23  
미국측  
수정문안  
(미3 → 한국)

**미측 수정문안 제시(6.23)**

This Document Contains US/Korean Information  
to be treated as U.S. CONFIDENTIAL  
**MODIFIED HANDLING AUTHORIZED\***

KORUS FTA/CT/IL/002-6  
Without Prejudice  
Restricted  
U.S. Proposals June 23, 2007

**FREE TRADE AGREEMENT BETWEEN  
THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA**

Agreeing that foreign investors are not hereby accorded greater substantive rights with respect to investment protections than domestic investors under domestic law where, as in the United States, protections of investor rights under domestic law equal or exceed those set forth in this Agreement;

서식 있음: 밑줄

6.25

한국 → 미국

② 상사 문부 (H)

**한국측 재수정문안 제시(6.25)**

This Document Contains US/Korean Information  
to be treated as **U.S. CONFIDENTIAL**  
**MODIFIED HANDLING AUTHORIZED\***

KORUS FTA/CT/IL/002-6  
Without Prejudice  
Restricted  
U.S. Proposals June 23, 2007

**FREE TRADE AGREEMENT BETWEEN  
THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA**

Agreeing that foreign investors are not hereby accorded ~~greater~~ substantive rights with respect to investment protections than equal to those of domestic investors under domestic law where, as in Korea and the United States, protections of investor rights under domestic law equal or exceed those set forth in this Agreement;

저식 있음: 밑줄

C

6/27

한국 → 미국

2  
대한민국

## 한국측 추가 재수정문안 제시(6.27)

This Document Contains US/Korean Information  
to be treated as U.S. CONFIDENTIAL  
MODIFIED HANDLING AUTHORIZED\*

KORUS FTA/CT/IL/002-6  
Without Prejudice  
Restricted  
U.S. Proposals June 23, 2007

### FREE TRADE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA

Agreeing that foreign investors are not hereby accorded greater substantive rights with respect to investment protections than domestic investors under domestic law where, as in the United States, protections of investor rights under domestic law equal or exceed those set forth in this Agreement, and recognizing that the laws and regulations of Korea, including Article 6 of the Constitution and Article 3 of the Foreign Investment Promotion Act, provide foreign investors and their investments protection equal to that provided to domestic investors and their investments.

저식 있음: 밑줄